

OFFICE OF THE DIRECTOR

DEPARTMENT OF MOTOR VEHICLES

P.O. BOX 932328
SACRAMENTO, CA 94232-3280

**TITLE 13: DEPARTMENT OF MOTOR VEHICLES****NOTICE IS HEREBY GIVEN**

The Department of Motor Vehicles (the department) proposes to adopt Sections 205.00, 205.02, 205.04, 205.06, 205.08, 205.10, 205.12 and 205.14 in Chapter 1, Division 1, Article 3.3 of Title 13, California Code of Regulations, relating to the Year of Manufacture (YOM) Program.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 P.M., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 P.M., **NOVEMBER 9, 2009**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Vehicle Code Section 1651, in order to implement, interpret, or make specific Vehicle Code sections 1652 and 5004.1.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Motor Vehicles (department) proposes to adopt Sections 205.00, 205.02, 205.04, 205.06, 205.08, 205.10, 205.12, and 205.14 in Article 3.3, Division 1, Chapter 1 of the California Code of Regulations, relating to the Year of Manufacture (YOM) Program.

Assembly Bill (AB) 462 (Chapter 497, Statutes of 2007) amended Vehicle Code section 5004.1 relating to Model Year Date License Plates, commonly known as the Year of Manufacture (YOM) Program. The amendments allow a 1969 or older model passenger vehicle or a 1972 or older model commercial vehicle to utilize previously-issued California license plates that correspond to the model year of the vehicle when it was originally produced. The department, under authority granted by Vehicle Code sections 1651 and 5110, is proposing regulations to specify which license plate configurations will be acceptable for registration under the YOM program. Vehicle Code section 5004.1 authorizes the Model Year Date License Plates, commonly referred to as the Year of Manufacture or YOM Program. Vehicle Code section 1652 allows the department to prescribe forms.

DOCUMENTS INCORPORATED BY REFERENCE

The following form is incorporated by reference in Sections 205.02, 205.12 and 205.14. This form is not published in the California Code of Regulations because it would be impractical and cumbersome to publish the document in the California Code of Regulations.

- Year of Manufacture (YOM) License Plate Application, form REG 352 (REV 2/2009)

This form will be made available during the public comment period on the department's internet website, in any field office, or by calling the department's toll free telephone number at (800) 777-0133.

FISCAL IMPACT STATEMENT

- Cost or Savings to Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: Private Persons will be required to pay a yearly fee, in addition to regular registration fees, to renew the special license plate. There is no cost impact to businesses.
- Effects on Housing Costs: None.

DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.
- The adoption of this regulation is not expected to create or eliminate jobs or businesses in the state of California or reduce or expand businesses currently doing business in the State of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will not affect small businesses. These provisions only apply to individuals who are applying for Year of Manufacture license plate registration.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820
Telephone: (916) 657-8898
Facsimile: (916) 657-1204
E-Mail: RCalkins@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Maria Grijalva, Regulations Analyst
Telephone: (916) 657-9001

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions, and strikeouts to indicate deletions from the California Code of Regulations. The contact person identified in this notice shall also make available to the public, upon request, the final statement of reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (Initial Statement of Reasons and Express Terms) may be accessed at www.dmv.ca.gov/about/lad/regactions.htm.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period and the hearing, if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full, modified text with changes clearly indicated would be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.